

OUR NEW YORK CORRESPONDENCE.

THE GREAT TRIAL.

PARTIAN REPORTS AND LEANINGS.—PHOTOGRAPH IV.—FRANCIS D. MOUTON.—His CROSS EXAMINATION.

NEW YORK, Jan. 16, 1875.

There is a valuable religious paper for which I write, and in the last issue of which I had observed a letter from Brooklyn, full of positive assurances of Mr. Beecher's innocence and of its approaching vindication, which all men of good will desire so much to see. The editor of that paper has just returned to me a letter on the Beecher business, with a notice that he does not wish to publish anything on that subject!—much less, anything partisan! Good for him.

It is my business to say, and to show that beyond the stenographic reports, the leading newspaper descriptions are amazingly incorrect and often unfairly colored. There is a reason why this must be so, besides the incapacity of the sub-editors who get up these descriptions.

It is invidious and unpopular to pre-judge a man of high previous character, unless favorably. To do so and prove mistaken at the end, would in the present case be a calamity to the strongest journal. But it is neither offensive now, nor liable to be at all calamitous in the result, whatever that may be, to lean, no matter how strongly, to the side of charity and good will. That is the safe course, therefore for all who wish to be regarded favorably themselves, by the religious and moral public. None but those who are at least indifferent to that portion of the public, feel like manifesting a bias against Mr. Beecher. The result is, that among the better classes and their organs, the manifestations of favor to Mr. Beecher are free and abundant, and those of disfavor are almost entirely suppressed.

I cannot imitate this feeble and evasive middle course any more than the bigotry of either of the extremes. Consequently, I am about to describe

THE TERRIBLE WITNESS, FRANCIS D. MOUTON,

exactly as he is, undeterred by the fear of giving offence to one side, or of being called "partisan" for telling the truth.

Mr. Mouton has now been on the witness stand three days, and will probably be at least two days longer, cross-examination included. It is here that I first saw him, and I have not the remotest personal interest in him, or any one belonging to him, or through any one belonging to me. Here, however, I have watched and studied him with protracted scrutiny, and as I have never seen any notice that does him justice, I am going to do it now. The account of him in yesterday's *Tribune* is a high specimen of the genius for calumny which by which the present management of that journal makes all the former achievements of the race, in the same line, simply contemptible. The attempt is to belittle him. He is, however, undeniably one of the most remarkable men in this very remarkable conjunction of men, and well, apparently, in his own native strength to cope with the strongest and best-trained of them all. He is a tall, strongly built man, with a head fit for a Roman emperor. I think the most masculine head I ever saw. It matches well in size the colossal heads of the parties to the suit, while contrasting strongly with both of them by its commanding masculinity. The nose is of the most prominent Roman type, angular, not curved or hooked, and the strength of the massive jaw and chin is entirely disclosed by the razor, but the character of the mouth is concealed by an enormous and sweeping mustache. Except, however, when he smiles, either on a friend, or in obedience to his intense mirthfulness (the only thing that seems to overcome him), when the mouth laishly shines through the hairy mass that ordinarily hides it, with the most winning geniality of expression that can light up a human face. I confess I like a man and can't well describe one without a little glow, whether he be a Christian or a "heathen." To have this man's picture, however, you must consider his big head further enlarged by a thick, intractable shock of hair, of a peculiar dark-sorrel shade, or yellowish brown, which has evidently been given up by the barbers. It is a head of hair that would drive any barber mad, and that no wife would venture to comb with a three-legged stool.

His dress is in a very special sense that of a gentleman; faultlessly elegant, yet without the remotest suggestion of a fashion plate or of a tailor. His manners are of the same type, absolutely at ease and free, in posture, movement and speech. His voice is very strong and masculine, yet not harsh; his language and pronunciation those of well-educated society, not of squalid schools. His absolute self-possession beaks the perfection of clear head, strong will, and straightforward meaning. I notice that his hands and feet are well formed and comparatively small, indicating what is called gentle blood. The "coarse snarl" is a piece of pure *Tribune* manufacture, or rather original creation from nothing.

And yet, under present circumstances, one would rejoice—not without contradictory emotions—to see this magnificent man proved the stupendous liar which he is if Mr. Beecher is innocent. His testimony is before the world. Its substance was before us long since; but the fresh details developed at every stage of the legal examination, are like the minutiæ of a complex structure as revealed under the microscope. Everything is interwoven naturally and characteristically: so that as a drama, no artist could have so successfully sustained the parts of the chief actors or the complex unity of the composition. If Mouton is a liar in all this, he is a greater dramatic genius than Shakespeare.

I have suspended my own conclusion, all along, upon the result of Mouton's cross-examination. It would be premature to foreshadow that result now. But perhaps it is as well to prepare myself and you for it by confessing that the prospect is disheartening. If I were Mr. Evans, with all his powers, I should dread the struggle. But the occasional portents of it which have broke from the great lawyer, as he rouses more and more to the fray, and the storm gathers blacker on his brow, forewarn us of a terrible attack on the terrible witness.

If Mr. Evans comes off victorious from that encounter, if he succeeds in shaking Mouton's testimony, and his credibility with the jury, he will have won a forensic victory never to be forgotten by the generations of lawyers to come. If he fails here, however, there will remain another chance, for eloquence to sweep away the story with a flood. But as for the witness himself, it seems at present as though Mr. Evans might as well dash against the tower of the Brooklyn bridge. We shall soon see.

I suppose it is well understood, however, that the chief reliance of the defense is on the four years of lying that Mouton professes to have done for Mr. Beecher's protection. They will argue that this proves him unworthy of credit when he professes to tell the truth. It is a curious circle of reasoning. If Mr. Mouton has lied for Mr. Beecher, he is certainly telling the truth now against him. But he admits that he has lied for Mr. Beecher; ergo, he is telling the truth against him. Or, more concisely, if he has lied before, he is lying now. If he tells the truth now, lied before. But he says that he lied before; therefore he does not tell the truth now. If a man says, "I do lie or tell the truth?" Both: for if he lies he tells the truth, and if he tells the truth he lies. It is well calculated to be a jingle.

VIDE.

Special Correspondence of the GAZETTE.

THE GREAT TRIAL.

SIR MARMADUKE AND HIS MURKIN.—THE "MUTUAL FRIEND" STILL ON THE STAND.

A MARKED CHANGE IN HIS DEMANOR.

—WHICH IS THAT EIGHT HUNDRED

THOUSANDS.

The Gazette of last week set before its readers the main features and incidents of this remarkable trial down to Thursday last, when the leading actors, jury, and about the same sum of spectators put in an early appearance, as well as the presiding judge, who was never known to be late and his efficient staff of court officers.

Mr. Beecher looked calm and self-reliant, was accompanied by his wife, and bore himself with the quiet dignity of a man looking confidently for the vindication of an honored name. This, I would add, has been his uniform bearing on each day of the trial. Taking courage by the example set by Mrs. Beecher, Mrs. Ovington, Mrs. Sherman and one or two other ladies, besides Mrs. Tilton, have appeared in court, and most of them expect to be present throughout the trial. The direct examination of "Mutual Moulton," as he is now almost exclusively termed, was continued through Thursday, Friday and a part of Monday. He was late frequently, answered with unbecoming forwardness, and in many cases anticipated the question of his answers, clearly establishing the fact of a most careful preparation for and a fore-knowledge of the interrogations he would be called upon to answer, and the order in which he would probably get them. His manner was consequently bold and fearless and in marked contrast with his present demeanor, under a cross examination for which he is evidently not so well prepared.

The effort of Mr. Tilton's counsel on Thursday seemed to be not so much to establish their charge against Mr. Beecher as to convince the jury and assembled multitude of their client's merit as a poet. With this end in view Mr. Fullerton rose and succeeded in vividly affecting both himself and Mr. Tilton by reading the poem published in the *Golden Age*, entitled "Sir Marmaduke's Musings." Mr. Fullerton read it silly and well, and Mr. Tilton listened attentively, but nobody else paid any attention. The first verse of this addition to English literature sets forth the statement that the writer thereof "won a noble fame" and had a "lofty crown;" a statement which no one present manifested any concern about. The allusion to the "doubtless purpose" in the second verse was received skeptically, while the "beggar's curse" verse was very generally admitted.

The reference to "friends," in the third verse, was left, for time to develop. His start for heaven, fore-hadowed in the fifth verse, was obviously received, and bets freely offered on his ever getting there, with the odds fearfully against him.

This poem was written at Sleepy Hollow, Nov. 1st, 1871, and both Mr. Tilton and his counsel agreed that it is remarkably good.

On Friday Mr. Mouton appeared in court after a hasty toilette in which his hair had evidently been overlooked, but this did not appear to incapacitate him for hard words, as he therefore went maulifly into it and awoke to everything he was asked. His testimony covered the "Bacon Letter" and several communications from Mr. Beecher to him in confidence, besides a spiteful attack upon General Tracy who, contrary to Mr. Mouton's desire, is acting as counsel on the other side.

Judge Morris was very sick. It is said that he has been reading his evening address to the jury in this case!

Saturday gave us a short breathing spell, during which the mephitic atmosphere of the court room was allowed to escape through the windows. Large ventilators have been put in the windows, to the joy of all concerned, especially the reportorial scribes, who work against time to get ready for press. On Sunday, Mr. Beecher preached one of the greatest sermons of his life, and the rush to Plymouth Church was unprecedented.

On Monday found all hands ready for the fray and commenced Mr. Mouton's cross examination. Judge John K. Porter conducted it in a cordial and confident manner. He is keen and conscientious, able and adroit. Mr. Mouton soon told him that he had "lied for Mr. Beecher," and that he thought it right to do so, and on Tuesday he found him—wholly unable to explain what became of \$500 of Mr. Beecher's money, though presenting a statement in writing, covering all such money transactions, from which, for some unknown reason, two checks, one of \$500 and the other of \$300 were carefully omitted.

The further fact was developed that both he and his firm had loaned Tilton money to a large extent, which they did not expect to get back from him, and the inference was very generally drawn that he reimbursed himself from Mr. Beecher's expenditure for these loans. On Wednesday the witness fell into General Tracy's hands, Judge Porter being too ill to be in court. The General's familiarity with the details of this case enabled him to handle the witness very handsomely, to the chagrin of the latter, and counsel for Mr. Tilton, who fought hard to keep him off, but without any encouragement in the way of success. They have just reached the "pistol scene," which will be carefully looked into tomorrow. The witness is at present ill at ease and might even wish that he were dead.

C. H. REQUA,

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Feb.

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Special attention called to apartment of

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Young, John HORACE DODD, P. M.

DIED.

HERNO—At his residence in Montclair, on Sunday the 17th inst., of pneumonia, Robert M. Herino, in the 68th year of his age.

Special Notices.

SIXTH KUKLICH LECTURE COURSE, TO BE GIVEN IN THE WESTMINSTER PRESBYTERIAN CHURCH BLOOMFIELD.

February 5th, 12th and 26th, 1875.

The Lecture Committee of the Kuklich Society take pleasure in submitting to the public the prospectus of a short course of lectures, which they feel confident, will prove interesting and instructive.

FRIDAY, FEB. 11TH.—Prof. W. E. GRIFFIN.

late of the Imperial College of Tokyo, Japan.

Prof. Gribin has had unequalled facilities, during a residence of four years in Japan, to obtain a full and correct knowledge of this peculiar country and its inhabitants.

Mr. Gribin is a man of great ability.

LECTURES BEGIN AT 8 O'CLOCK.

JAN 24

ESSEX COUNTY TEACHERS' ASSOCIATION.

The next meeting of the Essex County Teachers' Association will be held in the Eastern District of East Orange, in the National Hall, commencing Friday evening Jan. 29, and continuing during Saturday, Jan. 30.

ORDER OF EXERCISES.

On Friday evening, at 7½ o'clock, a lecture will be given by Dr. James McCosh, President of the college of New Jersey.

Subject, *High school Education.*

Saturday, Jan. 30th, commencing a 10 A.M.

1. Opening Exercises with Address of Welcome. By J. L. Munn, Esq., of East Orange.

2. Reading of the Teachers' Paper.

3. Class Exercise in Language Teaching conducted by Miss J. E. Becker, of East Orange.

RECESS.

Afternoon Session commencing at 2 o'clock.

1. Address by Rev. J. B. Faulk, of East Orange, Subject, *Half Hours in England.*

2. Class Exercise in Vocal Culture, conducted by Miss Ellen Gould of East Orange.

3. Miscellaneous Business.

Frequent discussions will be held during the day.

By order of Executive Committee.

SHERIFF'S SALE.—In Chancery of New Jersey—Between David Torrens et al., claimants and John Levy et al., defendants, Fl. fa., for sale of mortgaged premises.

The sale of property in the above stated case was adjourned until the 10th day of February next, at two o'clock P. M., at the Court House in the City of Newark.

JAMES PECKWELL, Sheriff.

Newark, N. J., Jan. 19, 1875.

SHERIFF'S SALE. Essex County Circuit Court.—Christoper Matthews and John Spence vs. Henry C. Spalding, builder, and al. Fl. fa. in case of mortgaged premises.

The sale of property in the above stated case was adjourned until the 10th day of February next, at two o'clock P. M., at the Court House in the City of Newark.

JAMES PECKWELL, Sheriff.

Newark, N. J. Jan. 19, 1875.

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JAN 16

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JAN 14

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A FRENCH ROOF COTTAGE HOUSE

with 8 rooms, plenty of closets, large hall

walls, corniced ceilings, marble mantels, large panes, back windows, fine back stables, carriage house, stable house, summer house, etc.

all house filled.

The buildings are new, lot 75 by 300 feet. All

kinds of fruit growing, fine lawns, well and

fine location on the side of the mountain.

Large elevated, beautiful and substantial in most thorough and substantial manner.

Splendid lot. Will be sold at a bargain